



03-14-05

RCE/3683\$<sup>17W</sup>

|  |                             |                           |
|--|-----------------------------|---------------------------|
| <b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b><br>Address to:<br>MAIL STOP RCE<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | <i>Application Number</i>   | <b>10/058,188</b>         |
|  | <i>Filing Date</i>          | <b>January 29, 2002</b>   |
|  | <i>First Named Inventor</i> | <b>Philip G. Costello</b> |
|  | <i>Art Unit</i>             | <b>3683</b>               |
|  | <i>Examiner</i>             | <b>Devon C. Kramer</b>    |
|  | <i>Attorney Docket No.</i>  | <b>BGEE 2 13201</b>       |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 CFR 1.114

a. ☒ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on

ii. ☐ Other.

b. ☒ Enclosed

i. ☒ Amendment/Reply, as previously submitted on February 3, 2005

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement, PTO-Form 1449 and references

iv. ☐ Other \_\_\_\_\_

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☒ Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a **one-month extension of time** to respond to the outstanding Office Action.

c. ☐ Other \_\_\_\_\_

03/16/2005 HALI11 00000004 10058188

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790.00 OP

3. Fees (The RCE fee under 37 CFR 1.114(e) is required by 37 CFR 1.114 when the RCE is filed.)

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY ABOVE-INDICATED AMENDMENT(S)

| (1) FOR   | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|---|------------------|------------------|----------|------------------|
| TOTAL CLAIMS<br>(37 CFR 1.16(c))  | 0 - 21 =         | 0                | x \$50   | = \$0.00         |
| INDEPENDENT CLAIMS<br>(37 CFR 1.16(b))  | 0 - 4 =          | 0                | x \$200  | = \$0.00         |
| MULTIPLE DEPENDENT CLAIMS<br>(IF APPLICABLE)<br>(37 CFR 1.16(d))  |                  | ANY - - 0        | x \$360  | = \$0.00         |
| APPLICATION SIZE FEE<br>(FOR APPLICATION THAT EXCEEDS 100<br>SHEETS, FEE FOR EACH GROUP OF 50<br>ADDITIONAL SHEETS) |                  | 0 GROUP(S)       | x \$250  | = \$0.00         |
| BASIC RCE FEE (37 CFR 1.16(a))  |                  |                  |          | \$790.00         |
| TOTAL LARGE ENTITY FEE =  |                  |                  |          | \$790.00         |

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 06-0308.

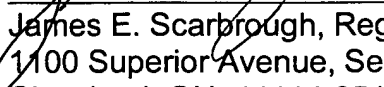
- i. ☐ RCE fee required under 37 CFR 1.17(e);
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17);
- iii. ☒ If applicable, the Director is hereby authorized to charge the search fee and examination fee to Deposit Account No. 06-0308;
- iv. ☐ Other \_\_\_\_\_.

b. ☒ Check in the amount of \$790.00 (large entity) enclosed.

c. ☐ Check in the amount of \$ \_\_\_\_\_ (large entity) to cover the applicable extension of time fees.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

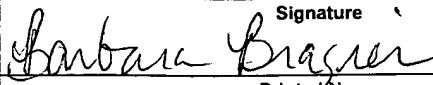
  
James E. Scarbrough, Reg. No. 47,056  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2518  
216/861-5582

3/11/05  
Date

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CERTIFICATE OF EXPRESS MAILING

I certify that this Request for Continued Examination Transmittal and accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

|   |   |
|---|---|
| Express Mail Label No.:<br><b>EV 49495985 US</b> EV 49495985 US | Signature<br> |
| Date<br>March 11, 2005  | Printed Name<br>Barbara Brazier   |